

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEONARDO GOMEZ,

Plaintiff

v.

JOHN DOE, *et al.*,

Defendants

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CIVIL ACTION NO. 3:CV-17-2047

(Judge Caputo)

O R D E R

**AND NOW**, this **19th** day of **DECEMBER, 2017**, upon consideration of Defendant Varner's motion to dismiss (ECF No. 3) and for the reasons set forth in the accompanying memorandum, it is **ORDERED** that:

1. Defendant Varner's motion to dismiss (ECF No. 3) is **GRANTED**.
2. Plaintiff's claims against the sole identified Defendant, Ms. Varner, are dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Within thirty (30) days from the date of this order, Mr. Gomez may file an amended complaint in this action in accordance with the foregoing Memorandum.
4. The Clerk of Court shall forward to Plaintiff two (2) copies of this Court's prisoner civil-rights complaint form which Plaintiff shall use in preparing any amended complaint he may file.
5. Failure to file an amended complaint as directed, within the required time, will result in this action being dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons set forth in the accompanying Memorandum.

/s/ A. Richard Caputo

**A. RICHARD CAPUTO**

**United States District Judge**